

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:19-cv-00518

Jimmie Lewis Brown,
Plaintiff,

v.

Rusk County,
Defendant.

Before BARKER, *District Judge*

ORDER

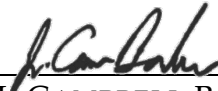
On this day, the court considered the findings of fact and recommendation of United States Magistrate Judge K. Nicole Mitchell regarding Plaintiff's civil rights lawsuit.

Having conducted a proceeding in the form and manner prescribed by 28 U.S.C. §636(b)(1) and (3), the magistrate judge recommended that the lawsuit be dismissed with prejudice until such time as plaintiff can show that his conviction has been overturned, expunged by executive order, declared invalid in a state collateral proceeding, or called into question through the issuance of a federal writ of habeas corpus. Doc. 14. The plaintiff received a copy of this report on April 23, 2020. Doc. 16. No objections have been filed. Upon review, the court finds no clear error. *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc) (cleaned up).

Therefore, the findings of fact and recommendation of the magistrate judge are **adopted** as the opinion of the court. Furthermore, the above-styled civil action is **dismissed with prejudice** until such time as the plaintiff can show that his conviction has been overturned, expunged by executive order, declared invalid in a state collateral proceeding, or called into question through the issuance of a federal writ of habeas corpus. Any other motions which may be pending in this civil

action are hereby **denied as moot**. The clerk of court is **directed** to close the case.

So ordered by the court on May 27, 2020.

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is written over a horizontal line.

J. CAMPBELL BARKER
United States District Judge